

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 81-51

AN ORDER RESCINDING RESOLUTION NO. 384 AND ORDER NO. 71-80  
AND ADOPTING WASTE DISCHARGE REQUIREMENTS FOR:

WAYNE AND SHERRY KUNG, FRANK H. AND GRACE C. WONG,  
HENG-TENG CHIANG, HENG-CHIH CHIANG, HENG-TA CHIANG, AND  
JU-CHIN CHANG, D.B.A. NOVATO MOTEL, NOVATO, MARIN COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region,  
(hereinafter called the Board) finds that:

1. The Board, on November 16, 1961, adopted Resolution No. 384 prescribing requirements as to the nature of waste discharge by R. C. Briggs and Clarence and David Leveroni from the Novato Motel.
2. The Board, on November 23, 1971, adopted Order No. 71-80 requiring Oliver Kullberg, successor in interest to R. C. Briggs, and Clarence and David Leveroni to cease and desist discharging wastes contrary to the requirements of Resolution No. 384.
3. Ownership of the Novato Motel has since been transferred from Oliver Kullberg to Wayne and Sherry Kung, Frank H. and Grace C. Wong, Heng-Tung Chiang, Heng-Chih Chiang, Heng-Ta Chiang, and Ju-Chin Chang.
4. Wayne and Sherry Kung, Frank H. and Grace C. Wong, Heng-Tung Chiang, Heng-Chih Chiang, Heng-Ta Chiang, and Ju-Chin Chang, doing business as the Novato Motel, (hereinafter called the discharger), submitted a technical report on the Novato Motel's sanitary sewer system on November 12, 1980, a Report of Waste Discharge dated February 5, 1981, and subsequent information transmitted by letters of March 6, 1981 and July 18, 1981, for revision of existing Waste Discharge Requirements.
5. The discharger discharges waste from a 60-unit motel, bar and restaurant into a septic tank followed by four evaporation ponds, located on land owned by Clarence and David Leveroni. The discharger has a verbal agreement with the Leveronis for use of the evaporation ponds, but has entered into a purchase agreement with the Leveronis for purchase of the ponds and has started the procedures to subdivide the lands on which the ponds are located from the rest of the Leveroni property. The bar and restaurant are not presently operating, but the discharger proposes to reopen them. Some rooms in the motel are rented to a truck school, a traffic school, a certified public accountant, and various groups for meetings.
6. Any overflow of waste effluent from the discharger's evaporation ponds would flow overland to Basalt Creek, tributary to Black John Slough and the Petaluma River.
7. The Board adopted a Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) in April 1975.

8. The beneficial uses of the Petaluma River are:
  - a. Navigation
  - b. Water contact recreation
  - c. Non-contact water recreation
  - d. Warm freshwater habitat
  - e. Cold freshwater habitat
  - f. Wildlife habitat
  - g. Preservation of rare and endangered species
  - h. Fish migration
  - i. Fish spawning
  - j. Preservation of Areas of Special Biological Significance (Potential)
9. Board staff inspections have indicated that, in the past, the evaporation ponds have overflowed and seeped overland towards Basalt Creek. The discharger has started to renovate the ponds by removing bank vegetation, dredging the pond bottoms, and increasing dike elevations. To further accommodate increased flow due to the restaurant, septic tank capacity will be modified and a grease trap added.
10. The Basin Plan prohibits the discharge of wastewater at any point at which the wastewater does not receive a minimum initial dilution of at least 10:1, and into any nontidal water or dead-end slough or similar confined water areas or their immediate tributaries.
11. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.
12. The discharger and interested agencies and persons have been notified of the Board's intent to revise requirements for the existing discharge and have been provided with the opportunity to submit their written views and recommendations.
13. This project involves the continued operation of a privately-owned sewage treatment and disposal facility with negligible or no expansion of use beyond that previously existing. Consequently, this project will not have a significant effect on the environment based upon the exemption provided in Section 15101, Title 14, California Administrative Code.

IT IS HEREBY ORDERED, that Wayne and Sherry Kung, Frank H. and Grace C. Wong, Heng-Tung Chiang, Heng-Chih Chiang, Heng-Ta Chiang and Ju-Chin Chang, d.b.a. Novato Motel, pursuant to the provisions of Division 7 of the California Water Code, and regulations adopted thereunder, and to the provisions of the Federal Water Pollution Control Act, as amended, and regulations and guidelines adopted thereunder, shall comply with the following:

A. Prohibitions

1. Overflow from the evaporation ponds is prohibited.
2. All discharge of wastewater on any land other than the evaporation ponds or to any watercourse is prohibited.
3. The volume of waste discharged to the evaporation ponds shall not exceed 6000 gpd, until such time as the renovation work on the ponds pursuant to Provision C.4. is complete. At that time, the volume of waste discharged to the ponds shall not exceed 8000 gpd. To allow for seasonal variations, these flow limitation figures may be based on an annual average.

B. Discharge Specifications

1. The treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code.
2. The discharge of waste shall not degrade the quality of any ground water suitable for domestic use or cause an increase in any quality parameter that would make ground water unsuitable for irrigation use.
3. The discharge of waste shall not cause seepage to be present any place outside the evaporation ponds.
4. The evaporation ponds shall be adequately protected from erosion, washout, and flooding having a predicted frequency of once in 100 years.
5. To prevent threat of overflows, a minimum freeboard of 2 feet shall be maintained in each evaporation pond at all times.

C. Provisions

1. The requirements prescribed by this Order supersede the requirements prescribed by Resolution No. 384 and Order No. 71-80 adopted by the Board on November 16, 1961 and November 23, 1971, respectively. Resolution No. 384 and Order No. 71-80 are hereby rescinded.
2. The discharger shall comply with the Self-Monitoring Program as ordered by the Executive Officer.
3. The discharger shall submit notice that the land on which the evaporation ponds are located has been subdivided from Leveronis property and that the purchase of the ponds by the discharger from the Leveronis is complete. This Order may be terminated or modified if this provision is not met, and such documentation provided to the Board by December 1, 1981.

4. The discharger shall submit a technical report to the satisfaction of the Executive Officer that includes the specific pond renovations to be made, a time schedule for their completion, and updated water balance depicting how the renovations will allow the ponds to satisfactorily contain an 8000 gpd waste flow indefinitely, a management plan describing how the waste system will be operated, and an analysis as to the adequacy of the septic tank capacity. The report, to be submitted no later than thirty days after adoption of this Order, shall contain a final completion date for the pond renovations of no later than November 30, 1981. The management plan should also describe how the ponds will be managed to be minimize nuisance from mosquitos and other vectors.
5. When an approved public sanitary sewer is within 400 ft. of the evaporation ponds, the discharger shall submit a technical report to the satisfaction of the Executive Order and time schedule describing how the ponds will be abandoned and connection made to the sanitary sewer.
6. This Order does not allow for spray disposal or other wastewater reclamation. All existing facilities for spray disposal or other wastewater reclamation must be removed or otherwise rendered unuseable no later than thirty days after adoption of this Order. Notification that this task has been accomplished shall be submitted no later than forty-five days after adoption of this Order.
7. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from his liabilities under state or local laws.
8. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
  - (a) Violation of any term or condition contained in this Order;
  - (b) Obtaining this Order by misrepresentation, or failure to disclose fully all relevant facts.
9. The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.
10. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this Board.
11. The discharger shall file with the Board a report on waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge.

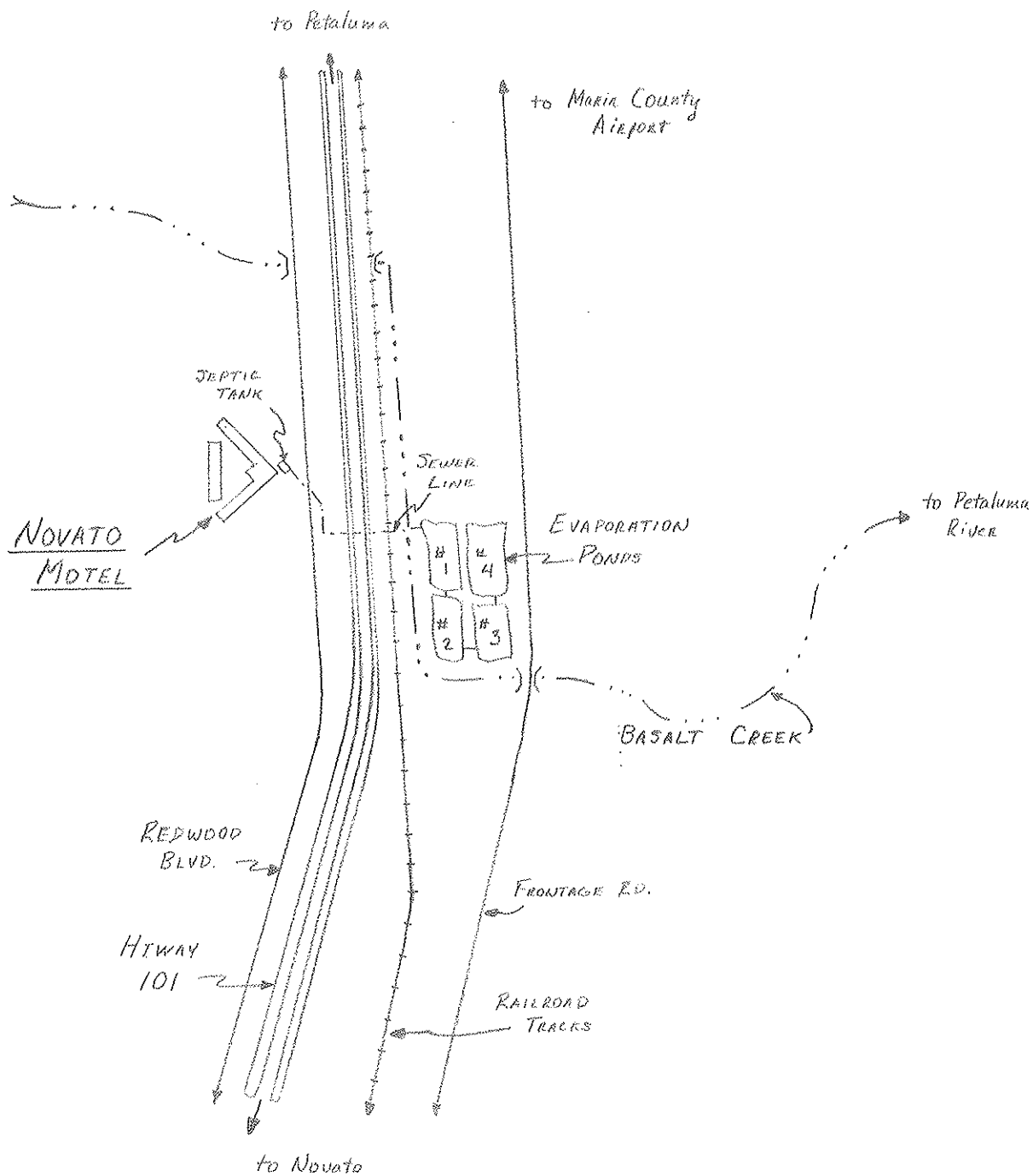
12. This Board will review this Order periodically and may revise the requirements when necessary.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on September 16, 1981.

FRED H. DIERKER  
Executive Officer

Attachment:

Map  
Self-Monitoring Program



N  
no scale.

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

NOVATO MOTEL  
and  
EVAPORATION PONDS

DRAWN BY: BHW DATE: 3-81 DRWG. NO.